

**REMARKS**

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 8-35 and 37-39 are pending in the present application. Claims 8, 18, 26 and 37-39 are the independent claims.

Claims 1-7 and 36 have been cancelled without prejudice to or disclaimer of the subject matter recited therein.

Claims 8-35 and 37-39 stand rejected under 35 U.S.C. § 102(e) as being anticipated U.S. Patent No. 6,683,836 (Miyagawa et al.). All rejections are respectfully traversed.

Independent claim 8 recites, inter alia, a peak-holder which peak-holds the voltage and outputs the peak-held voltage when pits are formed on the optical recording medium, and outputs the voltage without peak-holding when a space between pits of the optical recording medium is formed.

Independent claim 37 corresponds generally to independent claim 8 and recites similar features in method form.

Independent claim 18 recites, inter alia, a peak-holder which peak-holds the voltage and outputs the peak-held voltage when pits are formed, and outputs the voltage without peak-holding when a space between pits of the optical recording medium is formed.

Independent claim 38 corresponds generally to independent claim 18 and recites similar features in method form.

Independent claim 26 recites, inter alia, a peak-holder which peak-holds the voltage when pits are formed and outputs the peak-held voltage, and outputs the output voltage when a space between pits of the optical recording medium is formed.

Independent claim 39 corresponds generally to independent claim 26 and recites similar features in method form.

However, Applicants respectfully submit that Miyagawa et al. does not teach at least the aforementioned features of independent claims 8, 18, 26 and 37-39.

Miyagawa et al. relates to a laser control device and discusses an arrangement that provides stable power control.

Applicants respectfully submit that Miyagawa et al. does not teach the aforementioned

features of these claims --namely, a peak-holder or peak-holding as variously recited by the aforementioned independent claims. In this regard, it is noted that the Office Action neither acknowledges the presence of the aforementioned features nor contends that they are taught by the cited art.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 8, 18, 26 and 37-39 under 35 U.S.C. § 102 are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2-1-07

By:   
Michael E. Kondoudis  
Registration No. 42,758

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501